

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 21, 2008**

Court convened at 1:30 p.m. in the courtroom located at 925 North Spurgeon Street, Santa Ana, California, 92701. The panel members are Sills, Presiding Justice, Bedsworth, J. and Moore, J. Antoinette Cajigal deputy clerk attending.

G038600 THE PEOPLE
 v.
 JOHN R. WILDLY

Merits. Cause called. Correen W. Ferrentino argued for appellant. Elizabeth Voorhies, Deputy Attorney General argued for respondent. Cause submitted.

G038283 THE PEOPLE
 v.
 CARY O. SINGLETARY

Merits. Cause called. Edward J. Haggerty argued for appellant. Elizabeth Hartwick, Deputy Attorney General argued for respondent. Cause submitted.

G038145 THE PEOPLE
 v.
 FRANCISCO R. HERNANDEZ

Merits. Cause called. Nancy L. Tetreault argued for appellant. Christine Bergman, Deputy Attorney General argued for respondent. Cause submitted.

G039411 ORANGE COUNTY SOCIAL SERVICES AGENCY
 v.
 ENEIDA G.

Merits. Cause called. William D. Caldwell argued for appellant. Aurelio Torre, Jr. Deputy County Counsel argued for respondent. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 21, 2008 (cont'd)**

G039351 ORANGE COUNTY SOCIAL SERVICES AGENCY
 v.
 RICHARD B. et al.

Merits. Cause called. William D. Caldwell argued for appellant Richard B. Leslie Barry argued for appellant and cross-respondent Noah B. et al. Aurelio Torre, Jr., Deputy County Counsel argued for respondent and cross-appellant Social Services Agency. Linda S. Rehm argued for respondent Carie C. Cause submitted.

G038183 CHEROKEE PARTNERS, LLC et al.
 v.
 CLAREDON NATIONAL INSURANCE COMPANY

Merits. Cause called. Madison S. Spach, Jr. argued for appellant Cherokee Partners, LLC. Eric M. Volkert argued for appellant Harris Insurance Company. Ravi Sudan argued for respondent Claredon National Insurance Company. Cause submitted.

G038463 BARRY BUCHMILLER
 v.
 HINES NURSERIES, INC.

Merits. Cause called. Douglas B. Spoors argued for appellant. Shawn M. Larsen argued for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 21, 2008 (cont'd)**

G038644 YVETTE E. BARDZIK
 v.
 JEFFREY D. BARDZIK

Order filed. Pursuant to rule 8.256(e)(1), C.R.C. submission of the above matter is hereby vacated and the cause resubmitted as of this date for the period allowed by law. The reason submission is vacated is to allow additional time for the preparation of the court's opinion.

SILLS, P. J.

We concur: RYLAARSDAM, J.
 BEDSWORTH, J.

G039103 ORANGE COUNTY SOCIAL
 SERVICES AGENCY
 v.
 JACQUELINE E. et al.

Order filed. The above entitled cause is ordered submitted this date. (C.R.C., rule 8.416(g)(3).)

SILLS, P. J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 22, 2008**

Court reconvened at 9:30 a.m. in the courtroom located at 925 North Spurgeon Street, Santa Ana, California, 92701. The panel members are Sills, Presiding Justice, Rylaarsdam, J. and Aronson, J. Antoinette Cajigal deputy clerk attending.

G038125 THE PEOPLE
 v.
 GARY R. RAMIREZ

Merits. Cause called. Brent F. Romney argued for appellant. Barry Carlton, Deputy Attorney General argued for respondent. Cause submitted.

G037723 JOHN BATEMAN
 v.
 FIRST AFG FINANCIAL CORPORATION et al.

Merits. Cause called. Sally L. Gersten argued for appellant. Respondent waives oral argument. Cause submitted.

G038875 PRO CONSTRUCTION COMPANY et al.
 v.
 NANCY T. NGUYEN et al.

Merits. Cause called. Kenneth J. Wenzel argued for appellants. Frank A. Satalino argued for respondents. Cause submitted.

G039317 HENRY ISENSEE
 v.
 REBECA ISENSEE

Merits. Cause called. Paul D. Stucki argued for appellant. Rick Faulkner argued for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 22, 2008 (cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 North Spurgeon Street, Santa Ana, California, 92701. The panel members are Bedsworth, Acting Presiding Justice, O'Leary, J., Moore, J. and Ikola, J. Antoinette Cajigal deputy clerk attending.

G039104 EPICOR SOFTWARE CORPORATION
 & v.
G038748 THE IMAGERY GROUP, INC.

Merits. Cause called. Calvin House argued for appellant. Paul Marks argued for respondent. Cause submitted.

G038411 WELLS FARGO BANK, N.A.
 v.
 DEE R. BANGERTER

Merits. Cause called. Kevin E. Monson argued for appellant. Antoinette P. Hewitt argued for respondent. Cause submitted.

G037830 THE PEOPLE
 v.
 ISRAEL V.

Merits. Cause called. Valerie G. Wass argued for appellant. Robin Derman, Deputy Attorney General argued for respondent. Cause submitted.

G038622 PALACIO DEL MAR HOMEOWNERS ASSOCIATION
 v.
 ARNOLD McMAHON

Merits. Cause called. Appellant Arnold McMahon argued in propria persona. Michael G. Kim argued for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 22, 2008 (cont'd)**

G036836 THE PEOPLE
 v.
 CODY LEE KING

Order filed. The above entitled cause is ordered submitted this date.

SILLS, P. J.

G038659 JOSEPH MYERCHIN
 v.
 FAMILY BENEFITS, INC.

Not for publication

Opinion filed. The judgment is affirmed.

BEDSWORTH, ACTING P. J.

We concur: O'LEARY, J.
 MOORE, J.

G038581 ORANGE COUNTY SOCIAL
 SERVICES AGENCY
 v.
 ERICA M. et al.

Not for publication

Opinion filed. The orders are affirmed.

O'LEARY, J.

I concur: SILLS, P. J.
Concurring: ARONSON, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 22, 2008 (cont'd)**

G038681 FRED MORISAKI et al.
 v.
 OGDEN M. WALLACE

Order filed. All parties having waived oral argument, the above entitled cause is hereby ordered submitted this date.

Oral argument scheduled for April 23, 2008, at 9:00 a.m. is OFF CALENDAR.

SILLS, P. J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 23, 2008**

Court reconvened at 9:30 a.m. in the courtroom located at 925 North Spurgeon Street, Santa Ana, California, 92701. The panel members are Moore, Acting Presiding Justice, Fybel, J. and Ikola, J. Antoinette Cajigal deputy clerk attending.

G039326 GREENTREE FINANCIAL GROUP, INC.
 v.
 EXECUTEE SPORTS, INC.

Merits. Cause called. William M. Hensley argued for appellant. Alan L. Brodtkin argued for respondent. Cause submitted.

G038633 SYLVIA LEE
 v.
 AUSTIN P. Minors, etc. et al.

Merits. Cause called. Dirk Van Tatenhove argued for appellants. Marc T. Eagan argued for respondent. Submission deferred to allow additional briefing. Appellant to file the Legislative History with the court on 6-4-08. Letter briefs are to be filed by the parties on 6-11-08. The matter to be submitted on 6-11-08.

G038242 LESLIE C. FIELDS et al.
 v.
 OCRA (Isle of Man)

Merits. Cause called. Stanley Stern argued for appellants. William C. Kersten argued for respondent. Cause submitted.

G038572 LAWRENCE PASTERNAK et al.
 v.
 BEAR BRAND RANCH COMMUNITY

Merits. Cause called. Mark A. Finkelstein argued for appellants. Andrew A. Kurz argued for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 23, 2008 (cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 North Spurgeon Street, Santa Ana, California, 92701. The panel members are Rylaarsdam, Acting Presiding Justice, O'Leary, J. and Aronson, J. Antoinette Cajigal deputy clerk attending.

G038942 THE PEOPLE
 v.
 JOSE R.

Merits. Cause called. Stephen S. Buckley argued for appellant. Elizabeth Voorhies, Deputy Attorney General argued for respondent. Cause submitted.

G036221 THE PEOPLE
 v.
 EDGAR O. OSORIO

Merits. Cause called. Mark A. Hart argued for appellant. Jeffrey Koch, Deputy Attorney General argued for respondent. Cause submitted.

G038354 STROOCK & STROOCK & LAVAN LLP
 v.
 RICHARD BROADWAY et al.

Merits. Cause called. Deborah Drooz argued for appellant. Marcus G. Larson argued for respondents. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 23, 2008 (cont'd)**

G037749 MARGARET UNRUH- Certified for publication
 HAXTON et al.
 v.
 THE REGENTS OF THE UNIVERSITY
 OF CALIFORNIA et al.

Opinion filed. Reversed in part and affirmed in part.

O'Leary, J.

We concur: Rylaarsdam, Acting P.J.
 Fybel, J.

G039577 In re B.P. et al., Not for publication
 ORANGE COUNTY SOCIAL
 SERVICES AGENCY
 v.
 DANIELLE T.

Opinion filed. The postjudgment is affirmed.

Ikola, J.

We concur: Rylaarsdam, Acting P.J.
 Fybel, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 23, 2008 (cont'd)**

G037985 THE PEOPLE
 v.
 FROYLAN CORDOVA

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

G038169 THE PEOPLE
 v.
 TRAVIS CHRISTOPHER BOYETTE

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

G038227 THE PEOPLE
 v.
 SERUG TORRES TORRES

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

G038308 THE PEOPLE
 v.
 ELIJAH EBENEZER PAYNE

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

G038386 ROBERT DANNENBRINK
 v.
 DIANE STARBUCK

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 23, 2008 (cont'd)**

G038432 THE PEOPLE
 v.
 SUZAN LUCERO

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

G038469 THE PEOPLE
 v.
 GILBERT GARCIA

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

G038494 In re CRYSTAL K.,
 THE PEOPLE
 v.
 CRYSTAL K.

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

G038509 THE PEOPLE
& v.
G039213 AARON BLANCHETTE

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 23, 2008 (cont'd)**

G038551 THE PEOPLE
 v.
 ALEJANDRO GARIBAY

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

G038583 THE PEOPLE
 v.
 CARRIE ANN FORD

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

G038635 THE PEOPLE
 v.
 ARNULFO GONZALEZ

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

G038651 THE PEOPLE
 v.
 CURICAVERI GOMEZ AGUIRRE

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 23, 2008 (cont'd)**

G038701 THE PEOPLE
 v.
 MANUEL SALAS

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

G038793 THE PEOPLE
 v.
 MADELYN ISABEL MARTINEZ

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

G038813 In re NOHL A.,
 THE PEOPLE
 v.
 NOHL A.

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

G038851 THE PEOPLE
 v.
 JUAN PABLO BECERRA

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 23, 2008 (cont'd)**

G038864 THE PEOPLE
 v.
 PATRONIA SALELE

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

G038917 THE PEOPLE
 v.
 LUSI CASTRO SALMERON

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

G039089 THE PEOPLE
 v.
 DAVID FLORENTINA MONTES

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 24, 2008**

Court convened at 9:30 a.m. in the courtroom located at 925 North Spurgeon Street, Santa Ana, California, 92701. The panel members are Sills, Presiding Justice, Aronson, J. and Ikola, J. Shahira Naqshbandy deputy clerk attending.

G038728 TROY PETERSON ET AL.
 v.
 CELLCO PARTNERSHIP

Merits. Cause called. Douglas A. Wright argued for appellants. Thomas M. Malcolm argued for respondent. Cause submitted.

G038750 JENNIFER SIMAS
 v.
 PUBLIC STORAGE, INC.

Merits. Cause called. Douglas A. Wright argued for appellant. Brian M. Daucher argued for respondent. Cause submitted.

G038433 JONATHAN COHEN ET AL.
 v.
 ROBERT PRESTWOOD ET AL.

Merits. Cause called. Jon R. Williams argued for appellants. David Haberbusch argued for respondents. Cause submitted.

G039262 ALAN T. SCHROEDER
 v.
 MARY E. TRIMMER

Merits. Cause called. Appellant, Alan T. Schroeder argued in pro pria persona. No appearance by respondent, Mary Trimmer. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 24, 2008**

Court reconvened at 1:30 a.m. in the courtroom located at 925 North Spurgeon Street, Santa Ana, California, 92701. The panel members are Rylaarsdam ,Acting Presiding Justice, O’Leary, J. and Fybel, J. Shahira Naqshbandy deputy clerk attending.

G039077 GREG GRIFFITH
 v.
 PROFIT CONCEPTS MANAGEMENT, INC.

Merits. Cause called. Paul A. Brennan argued for appellant. Mark. Schondorf argued for respondent. Cause submitted.

G037665 STEVEN A. FRY
 v.
 PRO-LINE BOATS, INC.

Merits. Cause called. Rene Korper argued for appellant. Donald S. Zalewski argued for respondent. Cause submitted.

G038901 NARAYAN KANE
 v.
 LABEL-AIRE, INC.

Merits. Cause called. Aaron Ray Boyd argued for appellant. Roy Jimenez argued for respondent. Cause submitted.

G038095 REGENCY CENTERS, L.P.
 v.
 CIVIC PARTNERS VISTA VILLAGE 1, LLC

Merits. Cause called. Richard Derevan argued for appellant. Matthew A. Hodel argued for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 24, 2008 (cont'd)**

G038640 THE PEOPLE Not for publication
 v.
 DANIEL R.

Opinion filed. The judgment is affirmed.

BEDSWORTH, ACTING P. J.

We concur: O'LEARY, J.
 ARONSON, J.

G038822 THE PEOPLE Not for publication
 v.
 JOSE AYALA

Opinion filed. The judgment is affirmed.

IKOLA, J.

We concur: O'LEARY, ACTING P. J.
 FYBEL, J.

G039437 In re PEDRO C. et al.,
& ORANGE COUNTY SOCIAL
G039306 SERVICES AGENCY
 v.
 JESUS J. et al.

Order filed. The above entitled cause is ordered submitted this date. (Cal. Rules of Court, rule 8.41(g)(3).)

Sills, P.J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 24, 2008 (cont'd)**

G039485 In re KARLEE M. et al.,
 ORANGE COUNTY SOCIAL
 SERVICES AGENCY
 v.
 RACHEL M.

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

G039670 In re JAMES H.,
 ORANGE COUNTY SOCIAL
 SERVICES AGENCY
 v.
 JULIE S.

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

G040137 In re JOSEPH GARCIA Not for publication

Opinion filed. The petition is granted.

By the Court

Before Sills, P.J., Rylaarsdam, J. and O'Leary, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 25, 2008**

G036667 THE PEOPLE Not for publication
 v.
 JOHN W. CLANCY

Opinion filed. The judgment is affirmed in part and reversed in part.

ARONSON, J.

We concur: BEDSWORTH, ACTING P. J.
 O'LEARY, J.

G038629 THE PEOPLE Not for publication
 & v.
G038702 TIMOTHY B. O'KEEFE

Opinion filed. The judgment is affirmed.

IKOLA, J.

We concur: BEDSWORTH, ACTING P. J.
 FYBEL, J.

G038349 THE STATE OF CALIFORNIA ex rel. Certified for publication
 DENNIS DOCKSTADER et al.
 v.
 BETH HAMBY et al.

Opinion filed. The judgment is affirmed.

ARONSON, J.

We concur: O'LEARY, ACTING P. J.
 IKOLA, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 25, 2008**

G038362 THE PEOPLE Not for publication
 v.
 JOHN R. FRAUSTO

Opinion filed. The judgment is affirmed.

FYBEL, J.

We concur: RYLAARSDAM, ACTING P. J.
 IKOLA, J.

G038635 THE PEOPLE Not for publication
 v.
 ARNULFO GONZALEZ

Opinion filed. The judgment is affirmed in part and reversed in part with directions.

FYBEL, J.

We concur: RYLAARSDAM, ACTING P. J.
 MOORE, J.

G038860 THE PEOPLE Not for publication
 v.
 ERIC P. McLELLAN

Opinion filed. The judgment is affirmed.

FYBEL, J.

We concur: RYLAARSDAM, ACTING P. J.
 IKOLA, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 25, 2008**

G039302 DAVID FINK Not for publication
v.
SUPERIOR COURT;
MOSES SHEMTOV et al.

Opinion filed. The petition is granted.

FYBEL, J.

We concur: SILLS, P. J.
 IKOLA, J.